

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RICHARD JEREL DOYLE,

Petitioner,

v.

CASE NO. 2:19-CV-1345

CRIM. NO. 2:16-CR-145

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Chelsey M. Vascura

UNITED STATES OF AMERICA,

Respondent.

OPINION AND ORDER

This Motion to Vacate under 28 U.S.C. § 2255 (ECF No. 71) is before the Court on a Report and Recommendations (ECF No. 110.) Therein, the Magistrate Judge recommended that Petitioner Richard Jerel Doyle's sole remaining claim of ineffective assistance of counsel during pretrial negotiations be denied and that the Motion be dismissed with prejudice. (*Id.* at PageID 1052.) Despite being granted until November 22, 2021, to file objections to the Report under 28 U.S.C. § 636(b)(1)(C) and Fed.R.Civ.P. 72(b)(2) (Order, ECF No. 112), Petitioner has failed to file any objections. Accordingly, the Court **ADOPTS** and **AFFIRMS** the Report and **DISMISSES WITH PREJUDICE** the Motion. Judgment shall enter in favor of Respondent United States of America and against Petitioner.

Because reasonable jurists would not disagree with the conclusion that Petitioner has failed to make "a substantial showing of a denial of a constitutional right[.]" 28 U.S.C. § 2253(c)(2), the Court **DECLINES** to issue a certificate of appealability. The Court certifies that

any appeal would not be undertaken in good faith and that any application to proceed *in forma pauperis* on appeal should be **DENIED**.

IT IS SO ORDERED.

s/Edmund A. Sargus, Jr. 12/7/2021
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE